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SENATE

{ REPORT
No. 808

MRS. SUZANNE CHOW HSIA AND SVEN ERIK HSIA

SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H. R. 710]

The Committee on the Judiciary, to which was referred the bill (H. R. 710) for the relief of Mrs. Suzanne Chow Hsia and Sven Erik Hsia having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Mrs. Suzanne Chow Hsia and her minor son, Sven Erik Hsia. The bill provides for appropriate quota deductions and for the payment of the required visa fees and head taxes.

STATEMENT OF FACTS

Mrs. Hsia is a widow who was born in Shanghai, China, on December 13, 1913, and her minor child, Sven Erik Hsia, was born in Stockholm, Sweden, on March 2, 1940. They last entered the United States as visitors on March 21, 1950. Mrs. Hsia's husband was the first secretary of the Chinese Embassy in Stockholm, Sweden, where he died on February 7, 1949. She states that her home in Shanghai is now occupied by the Communists.

A letter dated May 17, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

MAY 17, 1951.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice with respect to the bill (H. R. 710) for the relief of Mrs. Suzanne Chow Hsia and her son, Sven Erik Hsia, aliens.

The bill would provide that, for the purposes of the immigration and naturalization laws, Mrs. Suzanne Chow Hsia and her son, Sven Erik Hsia, shall be considered to have been lawfully admitted to the United States for permanent residence as of March 21, 1950. It would also direct the Secretary of State to instruct the quota-control officer to deduct two numbers from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Mrs. Hsia is a widow who was born in Shanghai, China, on December 13, 1913, and that her son was born in Stockholm, Sweden, on March 2, 1940. They are citizens of China of the Chinese race. Coming from Sweden they arrived in the United States in possession of a diplomatic passport issued by the Chinese Foreign Office, Nanking, China, on October 15, 1938, and valid to December 31, 1953. Mrs. Hsia then stated that she had come to the United States to visit her brother and, after the visit, would proceed to China. They were held for a hearing before a board of special inquiry and on March 21, 1950, were temporarily admitted under section 3 (2) of the Immigration Act of 1924 until May 1, 1950, Mrs. Hsia having claimed that she had ties in Sweden and that she intended to return to that country. It seems apparent, however, that these persons were not in fact temporary visitors, but were immigrants. A warrant of arrest in deportation has issued against them.

The adult alien's mother resides in Hong Kong and her father is dead. Her brother, Wei-Liang Chow, is a senior professor at Johns Hopkins University. She was married on March 15, 1931, in Shanghai to Sung-Yo Hsia, a native and citizen of China, who died in Stockholm, Sweden, on February 7, 1949. At the time of his death Mr. Hsia was the first secretary of the Chinese Embassy in Stockholm.

The record indicates that Mrs. Hsia has stock valued at \$100,000. She is presently taking an apprenticeship course with the New York firm of Bache & Co. and receives \$250 a month. She has stated that she fears she would be persecuted if she returned to China because her husband had worked with the Formosa Government. She also claims that their home in Shanghai is now occupied by the Communists.

The Chinese quota, to which the aliens are chargeable, is oversubscribed and immigration visas are not readily obtainable. In view of her claim that she could return to Sweden, however, the record fails to present facts to warrant enactment of special legislation granting them preferences over other persons chargeable to the same quota.

Accordingly, this Department is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD, Deputy Attorney General.

Congressman Walter Judd, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and made the following statement in support of the bill:

The case of Mrs. Hsia and her son was brought to my attention by Mr. Walter S. Surrey, who served for many years in the legal section of the State Department and represented it in various hearings before the Committee on Foreign Affairs.

He had known Mrs. Hsia and her husband in Sweden when the latter was first secretary in charge of the Chinese Legation in Stockholm.

After Mr. Hsia died in Sweden on February 7, 1949, Mrs. Hsia was troubled as to whether to try to stay in Sweden, because the Communists had occupied Shanghai, and for her to return as the widow of a Chinese Government official would certainly be putting her life and that of her son in jeopardy.

On the other hand, her father had died in China and she felt a duty to return if possible to try to help with her mother.

She decided to come to the United States to discuss her own and their family problems with her brother, Prof. Wei-Liang Chow, professor of mathematics at Johns Hopkins University.

It is my understanding that at the time Mrs. Hsia and her son arrived in this country, the immigration officials advised her that they could admit her if she could show evidence of an ability and attempt to return to Sweden. She telephoned to the Foreign Office in Sweden to obtain the necessary visas.

It is probably that the Swedish Foreign Office was not anxious to grant such a visa, in view of the fact that it had recognized the Communist government in China and it was difficult to admit the wife of the former first secretary of the Chinese Nationalist Government Legation in Sweden, traveling on a passport issued by the Chinese Nationalist Government, which Sweden could not accept since it had recognized the Communist government. However as a personal favor, the Swedish Government did issue the visa.

Later, however, I am advised that the Swedish Government canceled the visa and refused to issue a new one to Mrs. Hsia and her son. This has been confirmed by the Swedish Government.

This left Mrs. Hsia with no place to go except to China. However, she was dissuaded from this intention by her brother at Johns Hopkins as well as by members of the State Department who knew her from associations in Sweden. Mr. Surrey stated that he was one who urged her not to return to China, pointing out that she could not be of any real assistance to her mother there and that in fact she would be more likely to jeopardize her mother's safety and freedom as well as her own life and that of her son.

It is unfortunate that her arrival in this country was not until March 21, 1950, too late to qualify under section 4 of the Displaced Persons Act.

Under the circumstances it seems to me this is a wholly worthy case deserving of being granted asylum in this country and admission for permanent residence.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 710) should be enacted.



